

CHARTER

National Emergency Medical Services Advisory Council

1. Committee's Official Designation. The National Emergency Medical Services Advisory Council (NEMSAC).

2. Authority. Section 31108 of the Moving Ahead for Progress in the 21st Century Act of 2012 requires the establishment of the NEMSAC. Pursuant to § 31108, the Secretary of Transportation hereby establishes NEMSAC, in coordination with the Secretary of Health and Human Services and the Secretary of Homeland Security. NEMSAC shall operate in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. App. 2), U.S. Department of Transportation (DOT) Order 1120.3B, and the terms of this charter.

3. Objectives and Scope of Activities. The purpose of NEMSAC is to serve as a nationally recognized council of emergency medical services (EMS) representatives to provide advice and consult with:

- a. The Federal Interagency Committee on Emergency Medical Services (FICEMS) on matters relating to EMS issues; and
- b. The Secretary of Transportation on matters relating to EMS issues affecting DOT.

NEMSAC serves as a forum for the development, consideration, and communication of information from a knowledgeable, independent perspective. The NEMSAC may provide recommendations, advice, and consultation only as detailed in Sections 3 and 5 of this charter.

4. Description of Duties. Consistent with Sections 3 and 5, NEMSAC is authorized to:

- a. Consider information on EMS issues in order to define, develop positions, and make recommendations on such issues for the Secretary of Transportation and/or FICEMS.
- b. Provide recommendations or advice relating to EMS on such topics as:
 - Improved coordination and support of EMS systems among Federal programs;
 - Strategic planning;
 - EMS standards, guidelines, benchmarks, and data collection;
 - Guidelines for conducting needs assessments for improving community-based EMS systems at State and local levels; and
 - Strengthening EMS systems through enhanced workforce development, education, training, exercises, sustainability, equipment, medical oversight, and other areas.

- c. Serve as a forum for discussing other methods for improving EMS and providing pertinent recommendations.
- d. Respond to requests for consultation and advice on EMS issues from the Secretary of Transportation (via the National Highway Traffic Safety Administration's (NHTSA) Designated Federal Officer (DFO)) and/or from FICEMS.

5. Agency or Official to Whom the Committee Reports. NEMSAC reports to the Secretary of Transportation and provides advice and consults with FICEMS on matters involving EMS issues. NEMSAC shall prepare an annual report to the Secretary of Transportation, with copies sent to the Secretary of Health and Human Services and Secretary of Homeland Security, and to FICEMS, regarding the Council's actions and recommendations.

6. Support. The NHTSA Office of EMS is the Federal sponsor of NEMSAC and will furnish support services for its operation. Council members will not receive pay or other compensation from NHTSA for their NEMSAC service, but are entitled to reimbursement of their travel expenses, including per diem in lieu of subsistence, while engaged in the performance of their NEMSAC duties away from their homes or regular places of business, in accordance with Federal Travel Regulations (41 CFR Chapters 300-304). All travel by individual members when engaged in official Council business must be approved in advance by the chairperson and NHTSA's DFO.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual direct operating cost of NEMSAC is \$175,000, which includes travel and subsistence costs of members, printing, and miscellaneous costs as well as estimated salary cost of staff support with benefits. The estimated annual staff time associated with the operation of NEMSAC is .60 FTE.

8. Designated Federal Officer. The Director of NHTSA's Office of EMS will serve as the DFO. The DFO will approve or call all NEMSAC meetings and subcommittee meetings, prepare and approve all meeting agendas, attend all NEMSAC meetings, adjourn any meeting when determined to be in the public interest, and chair meetings when directed to do so by the Secretary of Transportation or by the NHTSA Administrator acting on the Secretary's behalf. The DFO may appoint an Alternate DFO, who shall be a Federal Government employee, to serve in his or her place. The DFO and NEMSAC jointly shall determine operating procedures for the Council.

9. Estimated Number and Frequency of Meetings. NEMSAC shall meet as frequently as is determined necessary by the chairperson. The following procedures, as well as those set forth in 41 CFR Parts 101-6 and 102-3 and those otherwise applicable to FACA meetings, shall govern the conduct of all NEMSAC meetings:

- Notice of each meeting shall be published in the Federal Register at least 15 calendar days prior to the date of the meeting. Notice shall include the agenda.

- The chairperson shall preside at each meeting.
- Meetings shall be open to the general public, except as provided under Section 10(d) of FACA, as implemented by 41 CFR § 101-6.10; the Government in the Sunshine Act (5 U.S.C. § 522b(c)); 41 CFR Part 102-3; and DOT Order 1120.3B.

10. Duration. Continuing.

11. Termination. This charter shall terminate 2 years from its filing date unless it is renewed in accordance with FACA.

12. Membership and Designation. NEMSAC shall be composed of 25 members, each of whom shall be appointed by the Secretary of Transportation, in coordination with the Departments of Homeland Security and Health and Human Services through their respective representatives on FICEMS. The NEMSAC members shall collectively be representative of all sectors of the EMS community.

These sectors may include:

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| ➤ Volunteer EMS | ➤ EMS Educators |
| ➤ Fire-based (career) EMS | ➤ Public Safety Call-taker/Dispatcher (911) |
| ➤ Private (career non-fire) EMS | ➤ EMS Data Managers |
| ➤ Hospital-based EMS | ➤ EMS Researchers |
| ➤ Tribal EMS | ➤ Emergency Nurses |
| ➤ Air Medical EMS | ➤ Hospital Administration |
| ➤ Local EMS Service | ➤ Public Health |
| Directors/Administrators | ➤ Emergency Management |
| ➤ EMS Medical Directors | ➤ EMS Practitioners |
| ➤ Emergency Physicians | ➤ Consumers (not directly affiliated with an EMS or healthcare organization) |
| ➤ Trauma Surgeons | ➤ State or Local Legislative Bodies |
| ➤ Pediatric Emergency Physicians | |
| ➤ State EMS Directors | |
| ➤ State Highway Safety Directors | |

The Council's broad-based membership will ensure that it has sufficient EMS system expertise and geographic and demographic diversity to accurately reflect the EMS community as a whole.

NHTSA will solicit nominations for membership to NEMSAC from a wide array of national EMS organizations and from the public. Members will be selected for their individual expertise and to ensure balanced representation from across the EMS community, but no member will represent a specific organization.

The Secretary of Transportation shall appoint each member for up to a 2-year term and members may be reappointed but may not serve more than two consecutive terms unless the Secretary determines that additional terms are permitted to ensure representation of all sectors of EMS. Members are eligible to serve beyond the expiration of their terms but only until the Secretary appoints a successor. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall continue to serve until expiration of the original 2-year term. Members serve at the sole discretion of the Secretary, who has the right to terminate any member's tenure.

The members of NEMSAC shall annually select a chairperson and vice-chairperson of the Council. The vice-chairperson will serve as chairperson in the absence of the chairperson.

13. Federal Liaison. The Secretaries of Health and Human Services and Homeland Security each may name one liaison whose roles shall be to inform the NEMSAC of ongoing or planned Department activities related to EMS and to update their respective Departments on NEMSAC activities.

14. Subcommittees. The DFO may create subcommittees as are necessary to fulfill the Council's mission. Subcommittees will report only to NEMSAC and may not provide advice, recommendations or work products directly to DOT or FICEMS. DOT, via the DFO, and the Council shall establish such operating procedures as are required to support the subcommittee, consistent with the requirements of FACA, 41 CFR Parts 101-6 and 102-3, DOT Order 1120.3B, and the terms of this charter.

15. Recordkeeping. Records of all Council and subcommittee proceedings will be kept as required by applicable laws and regulations, including 41 CFR Part 102-3, Subpart D, and General Records Schedule 26, Item 2, or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

As required by Part 102-3, the chairperson shall ensure that detailed minutes of each meeting are kept and contain the following:

- a. The time, date, and place of the meeting.
- b. A record of all attendees at the meeting.
- c. A complete and accurate description of all matters discussed and conclusions reached.
- d. Copies of all reports received, issued, or approved by the Council.

- e. A description of public participation, including oral or written statements.

The chairperson must certify the accuracy of all NEMSAC minutes.

16. Filing Date. This charter is effective April 22, 2015. The NEMSAC is a statutory committee. The charter will be renewed every 2 years in accordance with FACA and other applicable requirements.